

Proposal to Cap FMC/Astaris Hazardous Waste Pond

The FMC Corporation and the Shoshone-Bannock Tribes have informed EPA that they have reached an agreement on a proposal which would allow placing a protective cap over one of the company's hazardous waste storage ponds – known as Pond 18 – instead of removing and treating the waste as currently required by the 1998 Consent Decree. The company is allowed to use the pond until May 2002, which is the deadline for FMC/Astaris to complete construction and begin operation of the LDR Treatment System. Pond 18 is part of the FMC/Astaris phosphorus production plant near Pocatello, Idaho, and the pond is on the Fort Hall Reservation.

FMC and the Tribes have requested that EPA modify the Consent Decree to allow FMC to cap Pond 18. EPA has considered this proposal, and believes that capping Pond 18 with waste in place can be done in a manner that is safe for people and the environment. However, before making a change to the Consent Decree, EPA would like to know what you think.

If EPA agrees to amend the Consent Decree to allow capping of Pond 18, the company would have to submit a detailed plan that describes how the cap will be constructed and maintained. This closure plan must be approved by EPA, and the public will have an opportunity to comment on the plan before EPA makes a final decision. The design for the Pond 18 cap would be similar to the cap already constructed on former waste storage pond "8S" at the facility.

Astaris will be responsible and liable for all capped ponds, including Pond 18, indefinitely. The company must regularly be able to demonstrate to EPA that it has the financial ability to pay for future cap maintenance costs and groundwater monitoring around the ponds, regardless of the operating status of the company. Groundwater monitoring will ensure that if there are any releases of hazardous chemicals to groundwater they will be detected and addressed.

Public Comment Period Open through September 21, 2001

This public notice announces the beginning of a 30-day public comment period on the proposal to amend the Consent Decree to allow waste in Pond 18 to be capped in place instead of being removed and treated.

Where do I submit my written comments?

All written (or e-mail) comments must be sent no later than Friday, September 21, 2001, to:

Linda Meyer U.S. Environmental Protection Agency, Region 10 1200 Sixth Avenue (WCM-121) Seattle, WA 98101

e-mail: meyer.linda@epa.gov

Where can I get more information?

Copies of the proposed changes to the Consent Decree can be found at the following Information Repository locations, or contact EPA at the number listed below:

Idaho State University Library Government Documents Department 850 South 9th Avenue Pocatello, Idaho 83209 (208) 236-2940 Shoshone-Bannock Tribal Library Tribal Business Center Pima Drive and Bannock Avenue Fort Hall, Idaho 83203 (208) 238-3700

Questions? If you have questions about this proposal, please contact Charles Bert, EPA Community Involvement Coordinator, at (206) 553-0225, or e-mail at **bert.charles@epa.gov**. Or call toll-free at 1-800-424-4372.